(28)

**HIGH COURT OF CHHATTISGARH AT BILASPUR**
**Writ Petition (C) No. 5982 of 2007**

**PETITIONERS** : 1. Shivnath Lahre, S/o Ramnath Lahre, aged about 30 years, R/o Village Mudpar, Post-Rashauta, Tahsil-Pamgarh, District Janjgir-Champa (CG).
2. Dineshwar Madhukar, S/o Budhram Madhukar, aged about 19 years, R/o Village & Post-Sasaha, Tahsil-Pamgarh, District-Janjgir-Champa (CG).

**Versus**

**RESPONDENTS** : 1. Chhattisgarh Board of Secondary Education, Raipur (CG).
2. Principal, Government Higher Secondary School, Sasaha, District Janjgir-Champa (CG).
3. Shri I.P. Patel, Centre Head Government Higher Secondary School, Tanoud, District-Janjgir-Champa (CG).
4. Sub Divisional Magistrate, Pamgarh, District Janjgir-Champa (CG).
5. Block Education Officer, Pamgarh, District-Janjgir-Champa (CG).

(WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)
**(SB: Hon'ble Mr. Satish K. Agnihotri, J.)**

---

Present : Shri Utkarsh Verma, Advocate for the petitioners.
Shri Vivek Sharma, Panel Lawyer for the State.
Shri Pankaj Agrawal, Advocate for the respondent No.1.

---

**ORDER**
**(Passed on this 03rd of October, 2007)**

1. This is a petition filed against the order dated 24.07.2007 (Annexure P-2) whereby, the examination for Higher Secondary School Certificate, held at the centre i.e. Govt. Higher Secondary School, Sasaha, Janjgir, was cancelled on account of mass copying. Learned counsel for the petitioner submits that the inspection reports dated 01.03.07, 07.03.07, 09.03.07, 13.03.07, 14.03.07 and 17.03.07 collectively filed as Annexure P-3 do not indicate that there was mass copying inside the examination centre, therefore, the decision of the respondent No. 1 is perverse.

2. I have heard learned counsel appearing for the petitioner and perused the documents appended thereto.

3. On perusal of the inspection reports, made on the basis of inspection on various dates, it appears that several outsiders were found assembling on the examination centre with the materials to help the examinees in the centre. The reports state that the moment, the Inspection Officer reached the centre, the persons standing outside began running away and in some cases they were made to run away. It appears that there was no slip found inside the examination centre. On one day two cases of copying were found in the examination centre.

4. Be that as it may, the decision of the experts is final as the crowd gathered outside the examination centre was aiding and abetting mass copying, may be at the time when the Inspection Officers reached the centre, no mass copying was found. For the said reasons, the result of the entire centre has been cancelled. On account of the facts that there was mass copying, it is not expedient to go into the details. At the most the respondent No. 1 may be directed to hold fresh examination at the earliest. It is ordered accordingly.

5. In view of the facts and circumstances mentioned above, the writ petition is disposed of. No order asto costs.

Sd/-
Satish K. Agnihotri
Judge

Sahu